

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR83
)	
v.)	
)	
MARK A. GUSTAFSON and)	ORDER
SALWA ALI GUSTAFSON,)	
)	
Defendants.)	
)	

This matter is before the Court on the report and recommendation of the magistrate judge (Filing No. 33), recommending that defendants' motion to dismiss be denied, and the objection of defendants to the report and recommendation (Filing No. 34). The Court has conducted a de novo review of the transcript of the proceedings held before the magistrate judge, the briefs of the parties, and the applicable law.

Upon such review, the Court is satisfied that the magistrate judge reached the correct decision and should be approved and adopted by this Court. Accordingly,

IT IS ORDERED:

- 1) The report and recommendation of the magistrate judge (Filing No. 33) is approved and adopted;
- 2) The defendant's objections to said report (Filing No. 34) are denied;

3) Defendant's motion to dismiss (Filing No. 20) is denied.

4) Trial of this matter is scheduled for:

Monday, October 30, 2006, at 9 a.m.

in Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The trial is scheduled at the earliest possible date on the Court's trial schedule and should give the parties time for trial preparation. Therefore, the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between September 25, 2006, and October 30, 2006, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 25th day of September, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court